

## **Remarks/Arguments**

The amendments set forth herein are provided solely to clarify the invention as filed and set forth in the pending claims in order to comply with applicable statutes and regulations. The amendments are not intended to limit the invention or preclude the application of equivalents which Applicant may be entitled to under law.

## **Status of the Application**

Claims 1-37 were canceled. Claims 38, 42, 47 and 50 were rejected under 35 USC 103(a) as being unpatentable over Brown (5,896,380) in view of Fan (6,324,164). Claims 39, 40, 44, and 45 were rejected under 35 USC 103(a) as being unpatentable over Brown in view of Fan and in view of Lipp (6,751,219). Claim 43 was rejected under 35 USC 103(a) as being unpatentable over Brown in view of Fan and Nicols (6,473,428). Claims 48-49 were rejected under 35 USC 103(a) as being unpatentable over Brown in view of Fan and in view of Pleissier (6,661,773). Claims 41 and 46 were rejected under 35 USC 103(a) as being unpatentable over Brown in view of Fan and in view of Milway (6,122,279).

### **Claim rejections, 35 USC 103(a)**

**Response to office action section 2:** The rejection of claims 38, 42, 47 and 50 under 35 USC 103(a) as being unpatentable over Brown in view of Fan has been respectfully overcome. Independent claims 38 and 42 have been amended to more clearly recite art not taught by any combination of Brown and Fan. No new material has been added.

Support for the “*serial*” limitation may be found in specification paragraph 23.

Support for the “*or data packets*” limitation may be found in specification paragraph 22.

Support for the “*filling said queue with a predetermined number of cells, forming a queue of serially received cells*” limitation may be found in specification paragraphs 25, 26, and figures 3 and 7.

Support for the “*when said predetermined number of cells is reached; transposing said serially received cells into an alternative parallel format in which all of said queue cells may be accessed on an equal basis regardless of the original order in which the cells were first serially received*” can be found in specification paragraphs 26-28, 32, 37, 42 and specification figures 3, 7, 8, 10. Note in particular specification figure 8, which shows cells originally in the cue with order C1-C2...Cn (314a) being transposed in the intermediate layer to cells C1, C2, ..Cn now all with equal status (buffer depth) in the intermediate layer.

Support for the “*sorting or not sorting or modifying or duplicating said parallel format cells based upon predetermined cell header criteria and/or predetermined order of cell serial arrival criteria*; can be found in specification paragraphs 29 (in particular sorting circuit 412), 38, and specification figures 1, 4, 7, 8 and 10.

Support for the “*transposing said sorted or not sorted or modified or duplicated parallel format cells back into a serial format*” limitation can be found in specification paragraphs 34, 39, 43 and specification figures 5, 7, 8, and 10. Figure 5 is particularly useful here.

Applicant respectfully submits that no combination of Brown and Fan teaches these limitations. Brown doesn't teach variable (predetermined number) queue-sizes, and more specifically totally fails to teach the serial-to-parallel-to-serial methods taught here. Further, Brown does not teach the sorting and priority methods contemplated by the present disclosure.

One of the consequences of Brown's methods is that these methods teach that the order of the “*cells transmitted to any particular outlet stage fabric which derived from a single*

*queue in an inlet stage fabric maintain an order which is identical to an order such cells had in said single inlet stage queue” (Brown, claims 10 and 17).*

By contrast, the present art does not teach this limitation. Rather, the present art teaches situations where cell order may in fact be different, and vary according to cell header data, priority data, line congestion, and other conditions.

Likewise Fan also fails to teach the serial to parallel to serial methods taught here. As a result, no combination of Brown and Fan can render independent claims 38 and 42, as amended, obvious under 35 USC 103(a). Dependent claims 39, 41, and 43-50 inherit these amended limitations, and thus are also not obvious.

Applicant also respectfully submits that these amendments also overcome the rejection of claims 39, 40, 44, and 45 in view of Brown, Fan, and Lipp. Lipp also fails to teach the serial to parallel to serial methods taught by amended claims 38 and 42, which dependent claims 39, 40, 44, and 45 inherit.

Applicant also respectfully submits that these amendments also overcome the rejection of claim 43 in view of Brown, Fan, and Nicols. Nicols also fails to teach the serial to parallel to serial methods taught by amended claim 42, which dependent claim 43 inherits.

Applicant also respectfully submits that these amendments also overcome the rejection of claims 48-49 in view of Brown, Fan, and Pleissier. Pleissier also fails to teach the serial to parallel to serial methods taught by amended claim 42, which dependent claim 48-49 inherit.

Applicant also respectfully submits that these amendments also overcome the rejection of claims 41 and 46 in view of Brown, Fan, and Milway. Milway also fails to teach the serial to parallel to serial methods taught by amended claims 38 and 42, which dependent claims 41 and 46 inherit.

**New claims:**

Support for new claim 51 can be found in specification paragraphs 49 and 50.

Support for claim 52 can be found in specification paragraphs 34, 37, 47, 49, and 50.

Support for claim 53 can be found in specification paragraphs 44, and 47

Support for claim 54 can be found in specification paragraph 49 and 50.

New independent device claim 55 is a combination of original claims 1-4, and essentially is the device version of method claims 38 and 42.

New claim 56 is based upon original claim 5.

New claim 57 is based upon original claim 6.

New claim 58 is based upon original claims 12 and 13.

New claim 59 is based upon original claims 17 and 18.


New claim 60 is based upon original claim 21.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application; the undersigned can be reached at the telephone number set out below.

The Commissioner is authorized to charge any additional fees to process this Amendment, or credit any over-payments that may apply, to our Deposit Account No. 50-2421.

Respectfully submitted,

Dated: August 3, 2007

  
\_\_\_\_\_  
David R. Stevens  
Reg. No. 38,626

Stevens Law Group  
P.O. Box 1667  
San Jose, CA 95109  
Tel (408) 288-7588  
Fax (408) 288-7542